

**CITY OF FITCHBURG
CONSERVATION COMMISSION
DRAFT MEETING MINUTES**

TUESDAY, SEPTEMBER 1, 2009

COMMISSIONERS IN ATTENDANCE: Tom Starr, Chairman, Mike Donnelly, Harry Karis, John Koutonen, Kevin Sanders

STAFF IN ATTENDANCE: Tim Smith, Mike O'Hara

CALL TO ORDER: Meeting called to order at 6:00 p.m. in the Second Floor Conference Room, City Hall. Special Meeting to continue the Public Hearing on:

Abbreviated Notice of Intent for Resource Area Delineation – MART & Epsilon Assocs., "Wachusett Station" area -- Fifth Mass. Tpk. & Authority Dr.

Alyssa Jacobs, Epsilon Assocs., Christine Apicella, McMahon Assocs. & Mo Khan & George Kahale of MART present

Continued discussion about whether drainage ditch on south side of RR tracks ("C" series of flags) was jurisdictional or not.

Commission is in agreement with delineation of Resource Areas, "A" and "B", further to the west.

Alyssa: The ditch in question doesn't drain a resource area, therefore it's non-jurisdictional because not fed by an upland resource area. There is no connection between "B" series of wetlands and the "C" series (the ditch).

Kevin: that ditch does go into an intermittent stream which is piped underneath Universal Machine and flows out to Flagg Brook. That area was considered jurisdictional by the Commission two years ago and this determination should be consistent.

Tim: But to be jurisdictional, there must be an upgradient resource area.

Kevin: You could say that the wetlands system starts at Flags C-7 or C-8 and runs downstream towards Universal Machine (BVW with an intermittent stream). Upstream of C-7 would be non-jurisdictional.

Tim: that last portion of wetland "C" looks jurisdictional. There was water flowing in it today.

Public comment

Ray Pfeifle and Tom Cleland of Omnova had some questions. They have been made aware that a portion of Omnova's parcel is being considered for the site of the parking area for the proposed train platform.

Commission unanimously agreed that:

1. Wetland Series "A" and "B", as shown on "Wetland Resource Area Delineation Plan" dated 8-3-09 are correct.
2. The portion of Wetland Series "C" from Flags C-7 & C-7 downstream to Flags C-1 & C-1a ARE jurisdictional.
3. The portion of Wetland Series "C" from Flag C-7a upstream to Flag C-20 ARE NOT jurisdictional.

Meeting adjourned 6:45 p.m.

Next meeting: September 29, 2009